

CDF LABOR LAW LLP
M. Leah Cameron, State Bar No. 274637
lcameron@cdflaborlaw.com
600 Montgomery Street, Suite 440
San Francisco, CA 94111
Telephone: (415) 981-3233

NEAL, GERBER & EISENBERG LLP
Sonya Rosenberg, State Bar No. 6293663
srosenberg@nge.com
Two North LaSalle Street, Suite 1700
Chicago, IL 60602-3801
Telephone: (312) 269-8000

Attorneys for Defendant
EUROMARKET DESIGNS, INC.

C&B LAW GROUP LLP
Jack Bazerkanian, State Bar No. 299031
Jack@cblawgroup.com
Tiffany Ariavaand, State Bar No. 331136
Tiffany@cblawgroup.com
2315 W. Burbank Blvd.
Burbank, CA 91506
Telephone: (213) 986-3430

Attorneys for Plaintiff
KIMAHNI DUNCAN

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

| | | |
|---------------------------------------|---|------------------------------------|
| KIMAHNI DUNCAN, an individual, |) | Case No. 2:21-CV-01398-KJM-JDP |
| |) | |
| Plaintiff, |) | Judge: Kimberly J. Mueller |
| |) | |
| v. |) | |
| |) | JOINT STIPULATION TO MODIFY |
| EUROMARKET DESIGNS, INC., an Illinois |) | SCHEDULING ORDER; ORDER |
| corporation; and DOES 1 through 100, |) | |
| inclusive, |) | Action Filed: September 9, 2020 |
| |) | |
| Defendant. |) | |

**JOINT STIPULATION TO MODIFY
SCHEDULING ORDER; ORDER**

JOINT STIPULATION

Defendant Euromarket Designs, Inc. (“Defendant”) and Plaintiff Kimahni Duncan (“Plaintiff”) (collectively referred to as the “Parties”), by and through their undersigned counsel, hereby agree and stipulate to the following:

WHEREAS Plaintiff filed his complaint on September 9, 2020 in San Joaquin County Superior Court, and Defendant timely removed this matter to the Court on August 6, 2021.

WHEREAS the Parties filed their Joint Stipulation to Modify the Initial Scheduling Order on October 21, 2022 (Dkt. 19).

WHEREAS on November 8, 2022, this Court issued an Order entering the Parties’ Joint Stipulation to Modify the Initial Scheduling Order (Dkt. 20) (the “Scheduling Order”).

WHEREAS, the Parties have completed fact discovery in this matter by the Court-ordered deadline of February 3, 2023.

WHEREAS, following completion of fact discovery, the Parties have agreed to participate in private mediation of this action and are in the process of scheduling said mediation, which is expected to take place in the coming weeks.

WHEREAS, pursuant to the November 8, 2022 Scheduling Order and the Eastern District of California’s Local Rule 230(b), Defendant’s current deadline to file its dispositive motion is March 24, 2023.

WHEREAS, the Parties hereby stipulate to modify the Scheduling Order by extending the remaining case deadlines by 60 days, in order to allow the Parties the opportunity to participate in private mediation in an attempt to resolve this case, without prejudicing Defendant’s ability to file a dispositive motion should the case not settle.

WHEREAS good cause exists for a modification of the Court’s Scheduling Order given the Parties’ good faith, diligent efforts to reach a settlement agreement.

WHEREAS neither Party will be prejudiced if a modification of the Scheduling Order is granted.

WHEREAS this modification to extend the Scheduling Order deadlines will allow the Parties the opportunity to focus their resources, time and expenses on pursuing settlement rather

1 than on motion work. Consequently, a modification of the Scheduling Order may result in
2 conservation of judicial resources.

3 THEREFORE, upon good cause shown, the Parties stipulate and respectfully move the
4 Court to modify the Scheduling Order as follows:

5 **Current Scheduling Order Dates:**

6 May 19, 2023 – Last Day to Complete Expert Disclosures

7 June 16, 2023 – Last Day to Exchange Rebuttal Expert Witnesses

8 July 14, 2023 – Expert Discovery Cutoff

9 April 28, 2023 – Last Day to Hear Dispositive Motions (making the deadline to file

10 Dispositive Motions March 24, 2023, pursuant to the Eastern District of

11 California’s Local Rule 230(b)).

12 **Proposed New Dates:**

13 July 18, 2023 – Last Day to Complete Expert Disclosures

14 August 15, 2023 – Last Day to Exchange Rebuttal Expert Witnesses

15 September 12, 2023 – Expert Discovery Cutoff

16 June 27, 2023 – Last Day to Hear Dispositive Motions (making the deadline to file

17 Dispositive Motions May 23, 2023, pursuant to the Eastern District of California’s

18 Local Rule 230(b)).

19 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

20 DATED: March 1, 2023

C&B LAW GROUP LLP

21
22 By: /s/ Tiffany Ariavand

Tiffany Ariavand

23 Attorneys for Plaintiff

24 KIMAHNI DUNCAN

25 Dated: March 1, 2023

CDF LABOR LAW LLP

26 By: /s/ Leah Cameron

M. Leah Cameron

27 Attorneys for Defendant

28 EUROMARKET DESIGNS, INC.

ORDER

Upon good cause shown, the Court orders the Scheduling Order to be modified as follows:

July 18, 2023 – Last Day to Complete Expert Disclosures

August 15, 2023 – Last Day to Exchange Rebuttal Expert Witnesses

September 12, 2023 – Expert Discovery Cutoff


June 30, 2023 – Last Day to Hear Dispositive Motions (making the deadline to file

Dispositive Motions May 26, 2023, pursuant to the Eastern District of

California's Local Rule 230(b)).

IT IS SO ORDERED:

Dated: March 1, 2023.


CHIEF UNITED STATES DISTRICT JUDGE